

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number : 10/511,756 Confirmation No. 4938
 Applicant(s) : Andreas Bergmann et al.
 Filed : October 19, 2004
 Tech Cntr/AU : (unassigned)
 Examiner : (unassigned)
 Entitled : Uses of Carbamoyl Phosphate Synthetase for the Diagnosis
 of Inflammatory Diseases and Sepsis
 Attorney Reference : 121778-04341933
 Customer Number : 43569

MAIL STOP PCT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Sir:

Pursuant to 37 CFR §1.97 and 1.56, the attention of the U.S. Patent and Trademark Office is hereby directed to the following disclosures made herein, which include:

REFERENCES AND RELEVANCY

- ☒ Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. Copies of the listed documents are attached, where required, as are any readily available full or partial English translations of any non-English language documents.
- ☐ Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. The references cited herein were cited for consideration in the parent application, and, pursuant to 37 CFR 1.98(d), copies of the cited references can be found in the file of the parent application (*U.S. Serial No.* , *filed*).
- ☒ Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. The references cited herein were cited in the International Search Report issued for the corresponding International application, and copies of the International Search Report and the cited references are attached for the Examiner's consideration.
- ☐ Applicant(s) wish(es) to make of record the documents listed on the attached Form PTO-1449. The references cited herein were cited in a communication from a foreign or international patent office in a counterpart foreign or international application(s), and copies of both the relevant communication and the cited references, where required, are attached for the Examiner's consideration.

CERTIFICATION

The undersigned certifies that, pursuant to 37 CFR §1.97(e)(1),

- ☐ each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign or international patent office in a counterpart foreign or international application not more than three months prior to the filing of this Statement.

RELATED CASES

- ☐ Identified in the attached Appendix are related applications directed to related technical subject matter. Copies of the related applications, where required, are attached for the Examiner's consideration. *The identification of the related U.S. patent applications is not to be construed as a waiver of secrecy for those applications, now or upon issuance of the present application as a patent.*

BASIS FOR CONSIDERATION

This Information Disclosure Statement is filed:

- ☒ within three months of the filing date of the application and/or before the mailing date of a first Official Action on the merits, and no fee is required [37 C.F.R. §1.97(b)].
- ☐ with the appropriate certification, and no fee is required [37 C.F.R. §1.97(e)(1)].
- ☐ after the mailing date of the first Official Action on the merits, but prior to the issuance of a Final Official Action or a Notice of Allowance, and the requisite fee, if necessary, is authorized herein for payment [37 C.F.R. §1.97(c)].
- ☐ after the mailing date of the Final Official Action or Notice of Allowance, but prior to the payment of the issue fee, the requisite certification under 37 CFR §1.97(e)(1) is made herein, and the requisite fee, if necessary, is authorized herein for payment [37 C.F.R. §1.97(d)].
- ☐ with a Request for Continued Examination (RCE), and no fee is required [37 C.F.R. §1.97(b)(4)].

FEE AUTHORIZATION

- ☒ Authorization is hereby given to charge any deficient fee(s) under 37 CFR §1.16 and §1.17 as necessary to ensure the consideration of this disclosure, or to credit any fee overpayments, to Deposit Account No. 503-121.
- ☐ Authorization is hereby given to charge the requisite fee of \$180 (Fee Code 1806) for submission of this Information Disclosure Statement to Deposit Account No. 503-121.

It is respectfully requested that this information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

The Examiner is further respectfully requested to return of a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column.

The examination and allowance of this Application is respectfully requested.

Respectfully Submitted,

MAYER BROWN ROWE & MAW LLP

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Date: May 25, 2005
Attachment(s): PTO Form 1449
International Search Report
Cited References

Atty.
Dkt. No.

M#

Client Ref.

121778-04341933

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT**

Applicant: Bergmann et al.

Application Serial No. 10/511,756

Filing Date: October 19, 2004

Date: May 25, 2005

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Examiner: (unassigned)

Group Art Unit: (unassigned)

U.S. PATENT DOCUMENTS

Examiner's Initials*		Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR	4,822,733	04/1989	Morrison			
	BR	5,512,493	04/1996	Mathis et al.			
	CR	5,639,617	06/1997	Bohuon			
	DR	2004/0180396	09/2004	Bergmann et al.			
	ER						
	FR						
	GR						

FOREIGN PATENT DOCUMENTS

		Document Number	Date MM/YYYY	Country	Inventor Name		Abstract		Readily Available	
							Enclosed	No	Enclosed	No
	HR	0 656 121 B1	03/1998	Europe			X		X	
	IR	00/73322	12/2000	International						
	JR									
	KR									
	LR									

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

	MR	Ardawi, M. S. M. "Hepatic Glutamine Metabolism in the Septic Rat," <i>Clinical Science (London)</i> , 1992, Vol. 82, No. 6, pp. 709-716.			
	NR	Assicot, M. et al. "High Serum Procalcitonin Concentrations in Patients with Sepsis and Infection," <i>The Lancet</i> , 1993, Vol. 341, no. 8844, pp. 515-518.			
	OR	Beishuizen, A. et al. "Endogenous Mediators in Sepsis and Septic Shock," <i>Advances in Clinical Chemistry</i> , 1999, Vol. 33, pp. 55-131.			
	PR	Gabay, C. et al. "Acute-Phase Proteins and Other Systemic Responses to Inflammation," <i>The New England Journal of Medicine</i> , 1999, Vol. 340, no. 6, pp. 448-454.			
	QR	Ghillani, P. et al. "Monoclonal Antipeptide Antibodies as Tools to Dissect Closely Related Gene Products," <i>Journal of Immunology</i> , 1988, Vol. 141, no. 9, pp. 3156-3163.			
	RR	Ghillani, P. et al. "Identification and Measurement of Calcitonin Precursors in Serum of Patients with Malignant Diseases," <i>Cancer Research</i> , 1989, Vol. 49, pp. 6845-6851.			
	SR	Klose, J. "Fractionated Extraction of Total Tissue Proteins from Mouse and Human for 2-D Electrophoresis," <i>Molecular Biology</i> , Vol. 112, pp. 67-85.			
	TR	Klose, J. "Two-dimensional Electrophoresis of Proteins: An Updated Protocol and Implications for a Functional Analysis of the Genome," <i>Electrophoresis</i> , 1995, Vol. 15, pp. 1034-1059.			
	UR	Linger et al. "Reverse Transcriptase Motifs in the Catalytic Subunit of Telomerase," <i>Science</i> , 1997, Vol. 276, pp. 561-567.			
	VR	Mann et al. "Use of Mass Spectrometry-Derived Data to Annotate Nucleotide and Protein Sequence Databases," <i>Biochemical Sciences</i> , 2001, Vol. 26, no. 1, pp. 54-61.			

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

FORM PTO-1449 (modified)
To: U.S. Department of Commerce
(PW FORM PAT-1449)
Patent and Trademark Office

Atty.
Dkt. No.

M#

Client Ref.

121778-04341933

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Examiner: (unassigned)

Group Art Unit: (unassigned)

U.S. PATENT DOCUMENTS

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
WR						
XR						

FOREIGN PATENT DOCUMENTS

Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract	Translation Readily Available
				Enclosed	No

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

YR	Neubauer et al. "Mass Spectrometry and EST-Database Searching Allows Characterization of the Multi-Protein Spliceosome Complex," <i>Nature Genetics.</i> , 1998, Vol. 20, 46-50.				
ZR	Neuhoff, V. et al. "Improved Staining of Proteins in Polyacrylamide Gels Including Isoelectric Focusing Gels with Clear Background at Nanogram Sensitivity using Coomassie Brilliant Blue G-250 and R-250," <i>Electrophoresis.</i> , 1988, Vol. 9, pp. 255-262.				
AAR	Nielsen, S. et al. "Acute Systemic and Local Inflammation Decreases Hepatic Expressions of Urea Cycle Enzymes," <i>Journal of Hepatology.</i> , 2000, Vol. 32 (Suppl. 2), pp. 161.				
BBR	Otto, A. et al. "Identification of Human Myocardial Proteins Separated by Two-Dimensional Electrophoresis using an Effective Sample Preparation for Mass Spectrometry," <i>Electrophoresis.</i> , 1996, Vol. 17, pp. 1643-1650.				
CCR	Ozaki, M. et al. "Enzyme-Linked Immunosorbent Assay of Carbamoylphosphate Synthetase I: Plasma Enzyme in Rat Experimental Hepatitis and its Clearance," <i>Enzyme Protein.</i> , 1994, Vol. 48, no. 4, pp. 213-221.				
DDR	Redl, H. et al. "Non-Human Primate Models of Sepsis," <i>Sepsis.</i> , 1998, Vol. 2, pp. 243-253.				
EER	Redl, H. et al. "Procalcitonin Release Patterns in a Baboon Model of Trauma and Sepsis: Relationship to Cytokines and Neopterin," <i>Crit Care Med.</i> , 2000, Vol. 28, no. 11, pp. 3659-3663.				
FFR	Schimke, R. "Adaptive Characteristics of Urea Cycle Enzymes in the Rat," <i>Journal of Biological Chemistry.</i> , 1962, Vol. 237, no. 2, pp. 459-468.				
GGF	Szondy, Z. et al. "Effect of Polyamines on the Carbamoylphosphate Synthetase Activity of Cad Protein," <i>Database: BioSciences Information Service.</i> , 1989, Vol. 24, pp. 107-118.				
HHR	Tabuchi, S. et al. "Regulation of Genes for Inducible Nitric Oxide Synthase and Urea Cycle Enzymes in Rat Liver in Endotoxin Shock," <i>Ciochemical and Ciophysical Research Communications.</i> , 2000, Vol. 268, no. 1, pp. 221-224.				
IIR	Tygstrup, N. et al. "Expression of Liver Functions Following Sub-Lethal and Non-Lethal Doses of Allyl Alcohol and Acetaminophen in the Rat," <i>Journal of Hepatology.</i> , 1997, Vol. 27, no. 1, pp. 156-162.				
JJR	Yin, L. et al. "Participation of Different Cell Types in the Restitutive Response ot the Rat Liver to Periportal Injury Induced by Allyl Alcohol," <i>Journal of Hepatology.</i> , 1999, Vol. 31, no. 3, pp. 497-507.				

Examiner

Date Considered:

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